

## **In The United States Patent And Trademark Office**

In re Application of: Rabih O. Darouiche and Randall A. Prince

Serial No.: Unknown

Filing Date: September 17, 2003

Examiner: Unknown

Group No.: Unknown

For: Anti-Infective Endotracheal Tube

Mail Stop Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

### **Information Disclosure Statement**

As listed on the accompanying form PTO-1449, applicant submits copies of the indicated references, which applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

**Identification Of Time Of Filing The  
Information Disclosure Statement**

- ☒ This Information Disclosure Statement is being filed within three months of the filing date of the national application.
- ☐ This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in §1.491 in an international application.
- ☐ This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.
- ☐ This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

- ☐ statement specified in 37 CFR § 1.97(e); or
- ☐ a fee set forth in 37 CFR § 1.17(p)
- ☐ This Information Disclosure Statement is being filed after the mailing date of a final action under § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and
2. a fee set forth in 37 CFR § 1.17(p)

**Statement For Information Disclosure Statement 37 CFR 1.97(E)**  
(Only if Required Above)

I, the person signing below hereby state that:

- ☐ each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or
- ☒ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(2).

**Translations of Foreign Documents**

This Information Disclosure Statement includes no patents that are written in Non-English languages.

**Fee Payment**

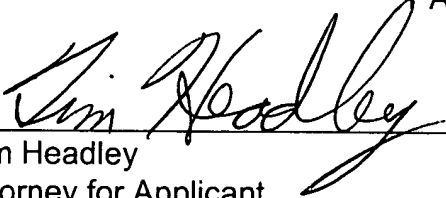
- ☐ attached is a check in the amount of \$N/A
- ☐ charge Deposit Account No. 07-0153  
in the amount \$

Applicants believe that no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 07-0153.

DOCKET NO.: 124169-1010 (OTA 02--36)

PATENT

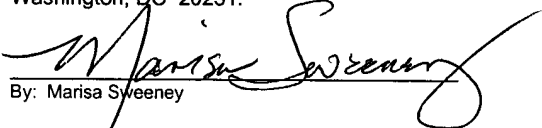
Dated: September 17, 2003

  
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CERTIFICATE OF MAILING

Express Mail No.: EV 322136414 US  
Date of Deposit: September 17, 2003

I certify that the accompanying paper is being deposited with the United States Postal Service and sent "Via Express Mail" service under 37 CFR 1.08 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.

  
By: Marisa Sweeney

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. 124169-1010 (OTA 02-036)		SERIAL NO. Unknown	
				Rabih O. Darouiche and Randall A. Prince			
				FILING September 17, 2003		GROUP Unknown	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,235,024 B1	5/22/2001	Tu	606	41	
		5,819,723	10/13/1998	Joseph	128	207.14	
		5,803,078	9/8/1998	Brauner	124	207.14	
		5,638,812	6/17/1997	Turner	128	207.14	
		5,582,167	12/10/1996	Joseph	128	207.15	
		5,544,648	8/13/1996	Fischer, Jr.	128	207.14	
		5,499,625	4/19/1996	Frass et al.	128	207.15	
		5,389,074	2/14/1995	Parker et al.	604	96	
		5,313,939	5/24/1994	Gonzalez	128	207.14	
		5,143,062	9/1/1992	Peckham	128	207.14	
		4,717,379	1/5/1998	Ekholmere	604	43	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

ATTY DOCKET NO.

124169-1010 (OTA 02-036)

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Unknown

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FILING

September 17, 2003

GROUP

Unknown

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,446,864	5/8/1984	Watson et al.	128	207.14	
	3,981,299	9/21/1976	Murray	128	349 B	
	3,087,493	4/30/1963	Schossow	128	351	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

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